



Senate

General Assembly

January Session, 2013

File No. 186

Senate Bill No. 835

Senate, March 27, 2013

The Committee on Labor and Public Employees reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING MILITARY LEAVE FROM EMPLOYMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 27-33a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) For purposes of this section, "armed forces of the United States"
4 has the same meaning as "armed forces" in section 27-103; and "armed
5 forces of the state" means the organized militia, the National Guard,
6 and the naval militia and marine corps branch of the naval militia, as
7 described in section 27-2.

8 (b) The employer of any employee who, as a part of such employee's
9 [military] service [, is required to attend military reserve or National
10 Guard] in the armed forces of the state or any reserve component of
11 the armed forces of the United States, is ordered to perform military
12 duty, including meetings or drills, during regular working hours shall
13 allow such employee leave of absence for such purpose. No such
14 employee shall be subjected by any person, directly or indirectly, to

15 any loss or reduction of vacation or holiday privileges by reason of
16 such absence, or be prejudiced by reason of such absence with
17 reference to promotion or continuance in office or employment, or to
18 reappointment to office or reemployment.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2013</i>	27-33a
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VA *Joint Favorable C/R*

LAB

LAB *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Municipalities	Potential Cost	Minimal	Minimal

Explanation

The bill extends employment protections for military leave to members of the state armed forces. There are at least 4,740 members of the state armed forces¹.

There are potential costs to municipalities that employ state armed forces members and do not currently allow military leave for such employees. For example, the municipality may incur increased costs if an employee on military leave had their shift covered by another employee.

There is no impact to the state, as state collective bargaining agreements already allow for military leave for state armed forces members.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Military Department

¹ There are 4,740 members of the Connecticut National Guard, per the Military Department.

OLR Bill Analysis**SB 835*****AN ACT CONCERNING MILITARY LEAVE FROM EMPLOYMENT.*****SUMMARY:**

This bill aligns Connecticut law with the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), which protects employees who serve or served in the military from workplace discrimination due to their service. Specifically, it extends the employment protections currently afforded to employees who are U.S. armed forces reservists or National Guard members to members of the state armed forces who take time from their employment to perform ordered military duty.

Protections include (1) being permitted a leave of absence when the member is ordered to military duty, including meetings and drills during regular working hours, and (2) protection from loss of vacation or holiday privileges, or prejudice in promotions, continuances, or reappointments of employment due to absences.

EFFECTIVE DATE: October 1, 2013

PROTECTED EMPLOYEES

The bill covers employees serving in (1) Connecticut's organized militia, National Guard, naval militia, or marine corps branch of the naval militia, or (2) any reserve component of the U.S. Army, Navy, Marine Corps, Coast Guard, or Air Force, including the Connecticut National Guard under U.S.C. Title 32 (homeland security).

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable Change of Reference

Yea 13 Nay 0 (03/07/2013)

Labor and Public Employees Committee

Joint Favorable

Yea 11 Nay 0 (03/14/2013)